



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

AUG 31 2015

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

Mr. Tod Schroder  
Owner  
P.O. Box 1052  
Seward, Alaska 99664

Re: **Notice of Violation/No Further Action**  
**Terry's Tire & Lube**  
RCRA ID Number: AKR 00020 5575

Dear Mr. Schroder:

This Notice of Violation (NOV) is to inform you of violations of the Resource Conservation and Recovery Act, as amended (RCRA) identified during an inspection of Terry's Tire and Lube located at 803 3<sup>rd</sup> Avenue, in Seward, Alaska. This inspection was conducted on June 3, 2014 by the Environmental Protection Agency (EPA) and was performed pursuant to EPA's authority under Section 3007 of RCRA, 42 U.S.C. § 6927. The purpose of the inspection was to determine the facility's compliance with RCRA.

At the time of the inspection, the following violations were observed:

**Failure to Label a Tank of Used Oil**

The regulation at 40 C.F.R. § 279.22(c)(1) requires that containers and tanks used to store used oil must be labeled or marked clearly with the words "Used Oil."

At the time of the inspection, the inspector observed the following violations of this regulation:

- There was a 250 gallon tank that was full of used oil that was not labeled with the words "Used Oil."
- There were 15, 55 gallon containers full of used oil that were not labeled with the words, "Used Oil."
- There was one, 18 gallon used oil receiver containing used oil that was not labeled with the words, "Used Oil."

At the time of the inspection, the inspector observed each of the above mentioned containers being labeled with the words "Used Oil" correcting these violations.

**EPA Reservation of Rights**

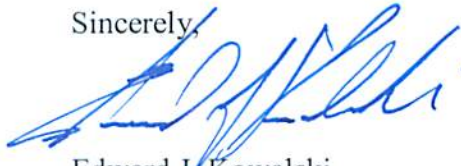
Notwithstanding this NOV or your response, EPA reserves the right to take any action pursuant to RCRA, the Comprehensive Environmental Response, Compensation, and Liability Act, as amended

(CERCLA), or any other applicable legal authority, including without limitation, the right to seek injunctive relief, implementation of response actions or corrective measures, cost recovery, monetary penalties, and punitive damages. Your response to this NOV does not constitute compliance with RCRA.

Nothing in this NOV or your response shall affect your duties, obligations, or responsibilities with respect to the Facility under local, state, or federal law or regulation.

Thank you for your prompt attention to this important matter. If you have questions regarding this NOV and No Further Action Letter, please contact Cheryl Williams of my staff at 206-553-2137 or [williams.cheryl@epa.gov](mailto:williams.cheryl@epa.gov).

Sincerely,



Edward J. Kowalski  
Director